

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Attorney Docket No. 14826US02)**

In the Application of:	)	
	)	<b>Electronically Filed:</b>
Jeyhan Karaoguz et al.	)	
	)	<b>January 21, 2008</b>
Serial No. 10/675,774	)	
	)	
Filed: September 30, 2003	)	
	)	
For: SECURE ANONYMITY IN A	)	
MEDIA EXCHANGE NETWORK	)	
	)	
Examiner: Pramila Parthasarathy	)	
	)	
Group Art Unit: 2136	)	
	)	
Confirmation No. 6260	)	
	)	
	)	

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Advisory Action mailed December 7, 2007 ("Advisory Action") in the above-identified application. The Applicant respectfully requests review of the final rejection in the above-identified application, in consideration of the following remarks. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal. The review is being requested for the reasons stated on the attached sheets.

### **REMARKS / ARGUMENTS**

As clarified by the examiner by phone, the Advisory Action mailed on December 7, 2007 as well as the Final Office Action mailed on September 19, 2007 refer to paragraphs in the Applicant's **published** patent application, and not the application as filed by the Applicant. The applicant's questions in response to the Final Office action mailed on September 19, 2007 with regard to paragraph numbering and references have hence been addressed. However, the substantive arguments presented in the Applicant's response to the First Office Action mailed on April 10, 2007 have not been satisfactorily addressed in either the Final Office Action mailed on September 19, 2007, or in the Advisory Action mailed on December 12, 2007.

### **REJECTION UNDER 35 U.S.C. § 102**

The Final Office Action maintains the rejections of claims 1-32 under 35 U.S.C. §102(b) already presented in the Office Action of April 10, 2007, using the same exact arguments. The Applicant respectfully disagrees and restates his arguments to support the allowability of claims 1-32. The Applicant respectfully requests the Examiner to address the Applicant's arguments in detail.

#### **A. Rejection of Independent Claims 1, 5 and 9 under 35 U.S.C. § 102 (b)**

With regard to the rejection of independent claims 1, 5 and 9 under 35 U.S.C. § 102(b), the Applicant submits that Anderson does not disclose or suggest at least the limitation of "acquiring a security code from a second communication device by a first communication device," as recited by the Applicant in independent claim 1. More specifically, Anderson does not teach "acquiring a security code". The Office Action refers for support to Anderson, column 3, lines 20-28. The Applicant submits that there is no mention or teaching of "security code" or "acquiring ... from a second communication device by a first communication device".

Furthermore, the Applicant submits that Anderson does not disclose or suggest at least the limitation of "receiving media containing said security code from said first communication device," as recited by the Applicant in independent claim 1. The Office Action refers for support to Anderson, column 3, lines 28-41. The Applicant fails to see any part of the Applicant's limitation supported by the cited passage in Anderson. The Applicant notes, in particular, that there is no suggestion or teaching of "media containing said security code" in the cited text provided by the Examiner. More specifically, the use of a phone number as a static identifier to access another device 115 by rearranging the phone number into a predefined format to form the host portion of a universal resource locator (URL) is clearly different from the Applicant's "media containing said security

code.”

Moreover, the Applicant submits that Anderson does not disclose or suggest at least the limitation of “translating said security code to an IP address corresponding to said second communication device,” as recited by the Applicant in independent claim 1. The Office Action refers for support to Anderson, column 3, lines 28-34. The Applicant fails to see any part of the Applicant’s limitation supported by the cited passage in Anderson. The Applicant notes in particular that there is no suggestion or teaching of “translating said security code to an IP address” in the cited text provided by the Examiner. More specifically, a calling device using a phone number as a static identifier to access another device by rearranging the phone number into a predefined format to form the host portion of a universal resource locator (URL) is clearly different from the Applicant’s “translating said security code to an IP address.”

Additionally, the Applicant submits that Anderson does not disclose or suggest at least the limitation of “routing said security code from said second communication device based on said IP address of said second communication device, said IP address of said second communication device remaining anonymous to said first communication device”, as recited by the Applicant in independent claim 1. The Office Action refers for support to Anderson, column 3, lines 28-34 and column 6, lines 57 – column 7, line 4. The Applicant fails to see any part of the Applicant’s limitation supported by the cited passage in Anderson. The Applicant notes in particular that there is no suggestion or teaching of “said IP address of said second communication device remaining anonymous to said first communication device” in the cited text provided by the Examiner. More specifically, the choosing of a phone number as static identifier and the rearranging of the phone number to form a DNS formatted name is clearly different from the Applicant’s “said IP address of said second communication device remaining anonymous to said first communication device.”

Based on at least the arguments set forth above, the Applicant believes to have overcome the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Anderson. Accordingly, independent claim 1 is not anticipated by Anderson and be made allowable. Independent claims 5 and 9 are similar in many respects to claim 1 and have, in fact, been addressed together with claim 1 by the examiner in the Office Action. Therefore, the Applicant submits that independent claims 5 and 9 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 1. The Applicant reserves the right to argue further reasons beyond those set forth above to support the allowability of claims 1, 5 and 9.

**B. Rejection of Dependent Claims 2-4, 6-8 and 10-13**

Based on at least the foregoing, the Applicant believes the rejection of

independent claims 1,5 and 9 under 35 U.S.C. § 102(b) as being anticipated by Anderson has been overcome and request that the rejection be withdrawn. Additionally, claims 2-4, 6-8 and 10-13 depend from independent claims 1, 5 and 9, respectively, and are, consequently, also respectfully submitted to be allowable. The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 1-13.

**C. Rejection of Ind. Claims 14, 20 and 26 under 35 U.S.C. § 102 (b)**

With regard to the rejection of independent claims 14, 20 and 26 under 35 U.S.C. § 102(b), the Applicant submits that Anderson does not disclose or suggest at least the limitation of "transferring security information associated with said second communication device to said first communication device," as recited by the Applicant in independent claim 14. The Office Action refers for support to Anderson, column, lines 21-46. The Applicant notes that the Examiner cites 25 lines of text, close to half a column without providing further details as to where the support of the Applicant's limitation may be found in the cited passage. The Applicant points out that the burden of proof lies with the Examiner, MPEP § 2106(II).

Moreover, the Applicant submits that Anderson does not disclose or suggest at least the limitation of "receiving media along with at least a portion of said transferred security information from said first communication device," as recited by the Applicant in independent claim 14. The Office Action refers for support to Anderson, column 7, lines 21-46. The Applicant notes that the Examiner cites 25 lines of text from Anderson, close to half a column without providing further details as to where the support of the Applicant's limitation may be found in the cited passage. In the Applicant's opinion, the Examiner has failed to clearly explain and point out the basis for the above rejection. Notwithstanding, after careful review, the Applicant fails to see how the passage cited may provide support for the Examiner's rejection as it does not provide support for at least "receiving media along with at least a portion of said transferred security information," as claimed by the Applicant.

Moreover, the Applicant submits that Anderson does not disclose or suggest at least the limitation of "if said security information from said first communication device is valid, transferring said media from said first communication device to said second communication device" as recited by the Applicant in independent claim 14. The Office Action refers for support to Anderson, column 7, lines 21-64. The Applicant notes that the Examiner cites over 40 lines of text, three-quarters of a column, without providing further details as to where the support of the Applicant's limitation may be found in the cited passage. In the Applicant's opinion, the Examiner has failed to clearly explain and point out the basis for the above rejection. The Applicant fails to see how the cited

passage may provide support for the Applicant's claim limitation.

Based on at least the arguments set forth above, the Applicant believes to have overcome the rejection of claim 14 under 35 U.S.C. § 102(b) as being anticipated by Anderson. Accordingly, independent claim 14 is not anticipated by Anderson and ought to be made allowable. Independent claims 20 and 26 are similar in many respects to claim 14 and have, in fact, been addressed together with claim 14 by the examiner in the Office Action. Therefore, the Applicant submits that independent claims 20 and 26 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 14. The Applicant reserves the right to argue further reasons beyond those set forth above to support the allowability of claims 14, 20 and 26.

**B. Rejection of Dependent Claims 15-19, 21-25 and 27-32**

Based on at least the foregoing, the Applicant believes the rejection of independent claims 14, 20 and 26 under 35 U.S.C. § 102(b) as being anticipated by Anderson has been overcome and request that the rejection be withdrawn. Additionally, claims 15-19, 21-25 and 27-32 depend from independent claims 14, 20 and 26, respectively, and are, consequently, also respectfully submitted to be allowable. The Applicant reserves the right to argue further reasons beyond those set forth above to support the allowability of claims 14-32.

**CONCLUSION**

Based on at least the foregoing, the Applicant believes that all claims 1-32 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and request that the Examiner telephone the undersigned Attorney at (312) 775-8105. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

Date: January 21, 2008

/Christopher C. Winslade/

Christopher C. Winslade, Esq.

Registration No. 36,308

Attorney for Applicant

/CZF

MCANDREWS, HELD & MALLOY, LTD.

500 WEST MADISON STREET, 34TH FLOOR

CHICAGO, ILLINOIS 60661

(312) 775-8000